

REMARKS / ARGUMENTS

The rejection of Claims 1, 2, 3, 5 and 6 in the patent application as being obvious and unpatentable based upon the **GANON '412** patent or the **GANON '541** patent in view of the **MORRIS '805** publication under 35 U.S.C. 103(a) is respectfully traversed. Further, the rejection of Claims 1 through 6 in the patent application as being obvious and unpatentable based upon the **GANON '412** patent or the **GANON '541** patent in view of the **SCHRECK'756** patent under 35 U.S.C. 103(a) is also respectfully traversed.

Both **GANON '412** or **'541** patents teach a method of making a slipper having an upper composite member/vamp member and a sole member with filler material and the sole member and vamp member are able to be turned inside-out side in order to place the correct outer side on the outside. The vamp member includes an inner vamp lining, an inner second layer of fabric and an inner third layer of foam cushioning material and an outer velour layer. The **GANON** patents **do not** include a mask being attached to the outer surface of the composite upper member as claimed in the present invention. Also, the **GANON** patents **do not** include an outer layer section being attached to a perimeter edge of the outer surface of the composite upper member.

Further, the present invention has its composite upper member consisting of an inner lining section, a filler material foam layer and a mask member, whereas the **GANON** patents have two inner fabric layers, a cushioning layer and an outer velour layer for making its upper composite member, essentially having three (3) fabric layers in its upper composite member.

Thus, the particular layers of the mask slipper, as claimed in the present invention, are completely different from the layers of the **GANON** slippers.

The **MORRIS** '805 publication discloses footwear (such as a sneaker or a slipper) having a shoe upper with an outside surface for attaching a molded dinosaur made from a flexible rubberize plastic material. The footwear also includes a cushioned sole having an insole material. The **MORRIS** publication **does not** include a filler foam material layer having its dinosaur attached thereto. Further, the **MORRIS** publication **does not** include an outer layer section being attached to a perimeter edge of the outer surface of one composite upper member (shoe upper).

Also, the present invention has its composite upper member including an inner lining section, a filler foam material layer and a mask member, whereas the **MORRIS** publication has its composite upper member including an inner cushioning layer and an outer material layer having an outer surface. Thus, the particular claimed layers of the mask slipper, as claimed in the present invention, are completely different from the layers as shown in the **MORRIS** footwear.

The **SCHRECK** '756 patent discloses a slipper having a bunny head for use by children. The slipper includes a sole having an insole layer and a fleeced upper surface layer. The slipper also includes a body portion having a pair of side sections; and a leather wall member for receiving an upper disk or tube. The upper disk or tube is for receiving a blank made from a furry material. The blank is cut to make a bunny head. The **SCHRECK** patent

does not include a filler foam material layer having its bunny head attached thereto. Further, the **SCHRECK** patent **does not** include an outer layer section being attached to a perimeter edge of the outer surface of the composite upper member.

Also, the present invention has its composite upper member including an inner lining section, a filler foam material layer and a mask member, whereas the **SCHRECK** patent has its upper composite member (the body member having side sections) having an outer material layer with an outer surface and a formed bunny head (from a blank) on a tube. Thus, the particular claimed layers of the mask slipper, as claimed in the present invention, are completely different from the layers as shown in the **SCHRECK** bunny slipper.

The **GANON** '412 or '541 patents, the **MORRIS** '805 publication and the **SCHRECK** '756 patent, even when combined, **do not teach or disclose** the following elements of Amended Independent Claim 1, for a method of making a mask slipper having the steps of:

- a) forming a composite upper member having a second layer of inner filler material, an outer surface for receiving the mask, and an inner surface for receiving an inner lining thereon, and having perimeter edge for having the composite upper member attached thereto;
- b) attaching the inner lining to the inner surface of the composite upper member;

and

c) attaching an outer layer section having an outer material layer and an inner filler layer for connecting to the perimeter edge of the outer surface of the composite upper member.

The combination of the **GANON, MORRIS** and **SCHRECK** prior art references do not show, disclose or teach the specific mask slipper layers or the method of manufacturing of the mask slipper as claimed by applicant in the present invention.

Therefore, Amended Independent Claim 1, as written, is patentable and should be allowed.

CONCLUSION

Therefore, the prior art references of **GANON, MORRIS** and **SCHRECK**, even if combined, do not teach or disclose the claimed features of Amended Independent Claim 1 and the Claims which depend therefrom. For these reasons, it is respectfully submitted that Applicant's claims 1 through 6 should be allowed.

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